

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SUSAN LEVY,

Plaintiff,

-against-

BASF METALS LIMITED, BASF
CORPORATION, GOLDMAN SACHS
INTERNATIONAL, GOLDMAN SACHS GROUP,
INC., GOLDMAN SACHS & CO. GOLDMAN
SACHS EXECUTION & CLEARING, LP, HSBC
BANK USA, NA, ICBC STANDARD BANK PLC,
UBS AG, UBS SECURITIES LLC, LONDON
PLATINUM AND PALLADIUM FIXING
COMPANY LTD., and John Does #1-20,

Defendants.

No. 15-cv-7317-GHW

**DECLARATION OF MARY ERIN
BRENNAN IN SUPPORT OF
BASF CORPORATION'S
MOTION TO DISMISS**

I, MARY ERIN BRENNAN, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury as follows:

1. I am the Manager, Corporate Governance & Transactional Support for defendant BASF Corporation. I understand that BASF Corporation was named as a defendant in this action in an amended complaint filed on or about January 13, 2016. I submit this declaration in support of the motion by BASF Corporation to dismiss for failure to state a claim.

2. BASF Corporation is a Delaware corporation with its principal place of business in Florham Park, New Jersey.

3. BASF Corporation is not a direct or indirect parent or subsidiary of BASF Metals Limited.

4. I understand that the amended complaint in this action alleges that “BASF Corporation is the parent of BASF Precious Metals Services, which is a member of the Chicago Mercantile Exchange, and is a founding member of the London Platinum and Palladium Market.” BASF Corporation does not have a direct or indirect subsidiary named “BASF Precious Metals Services.”

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on this 10th day of February, 2016.


MARY ERIN BRENNAN